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To: USPTO

NOV 1 6 2004

Appl. No. 09/940,381 Amdt. Dated: 11/16/2004 Reply to Office action of August 6, 2004

RESPONSE UNDER 37 CFR § 1.116 **EXPEDITED PROCEDURE EXAMINING GROUP 2631**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. :

09/940,381

Confirmation No. 4377

Applicant

Hossein Alavi

Filed

8/27/2001

TC/A.U.

2631

Examiner

Phuong M. Phu

Docket No.

055123.P280

Customer No.

8791

Commissioner for Patents PO Box 1450 Alexandria VA 22313-1450

AMENDMENT UNDER 37 CFR § 1.116

Sir:

In response to the Office Action of August 6, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Blakely Sokoloff Taylor & Zafman LLP

TELEPHONE: (714) 557-3800

Patent and Trademark Office.

INTELLECTUAL PROPERTY LAW 12400 WILSHIRE BOULEVARD, 7TH FLOOR Los Angeles, CA 90025

7145573347

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Our Dock Applicatio	e No.: 703-872-9306 From: William W. Schaal, Reg. No. 3 et No.: 55123P280 on No.: 09/940,381	Number of pages15_including this sheet.						
Our Dock Applicatio	et No.: 55123P280	Number of pages15_including this sheet.						
Applicatio								
•	n No.: <u>09/940,381</u>	Filing Date: 8/27/2001						
		Filing Date: 8/27/2001						
	•	Docket Due Date(s): 12/6/2004						
Enclosed	are the following documents:							
⊠ Ame	ndment:After Final (_10_pgs)	☐ Issue Fee Transmittal						
☐ Appe	eal Brief (in triplicate) (pgs)	☐ Notice of Appeal						
☐ Appli	cation:	Petition for:						
	(pgs) w/cover & abstract)	☐ Request for Continued Examination (RCE)						
☐ Assi	gnment & Cover Sheet (pgs)	Reply Brief (pgs)						
	ficate of Eacsimile	Request & Certification Under 35 USC 122(b)(2)(B)(i)						
☐ Cont	inued Prosecution Application (CPA)	☐ Request to Rescind Previous Nonpublication Request						
☐ Decl	aration & POA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter						
☐ Drav	vings:sheets, figures	Response to Written Opinion (pgs)						
⊠ Exte	nsion of Time:one_(1)_month	☐ Terminal Disclaimer						
⊠ Fee	Transmittal (in duplicate)	☐ Transmittal of Publication Fee Due						
□ IDS	& PTO/SB/08 (pgs)	▼ Transmittal Letter						
☐ Othe	or							

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P.2/15

TOANG	SAITTAL E	ODM	Application No.	09/9	09/940,381			
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(to be used for all	correspondence afte	er initial filing)	First Named Inventor	Hos	Hossein Alavi			
•			Art Unit		2631			
			Examiner Name	Phu	Phuong M. Phu			
Total Number of F	Pages in This Submissi	on 14	Attorney Docket Numb	er 5512	23P280			
ENCLOSURES (check all that apply)								
Fee Transmittal	Form	Drawing(s)			After Allowance Communication to Group			
Fee Attac	hed	Licensing-n	elated Papers		Appeal Communication to Board of Appeals and Interferences			
Amendment Re	esponse	Petition			Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)			
After Fina Affidavits/	l declaration(s)	Petition to Convert a Provisional Application			Proprietary Information			
Extension of Time	ne Request	Power of Attorney, Revocation Change of Correspondence Address			Status Letter			
Express Abando	nment Request	Terminal Disclaimer			Other Enclosure(s) (please identify below):			
Information Disc	losure Statement	Request for Refund						
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Document(s) Response to Mis Incomplete Appli	sing Parts/			L				
Basic Filing Fee		Remarks						
Decla	ration/POA							
Response Parts undo 1.52 or 1.5	to Missing er 37 CFR 53							
	SIGNATURE	OF APPLICAN	IT, ATTORNEY, OR	AGENT				
Firm or	William W. Sch	aal, Reg. No. 3	39,018					
Individual name								
Signature	Signature							
Date	Date November 16, 2004							
	CERTIFI	CATE OF MAIL	NG/TRANSMISSION					
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.								
Typed or printed name Susan McFarlane								
Signature	Sus	Mom	Lu	Date	Date November 16, 2004			

Based on PTO/SB/21 (04-04) as modified by Blakely, Solokoff, Taylor & Zafman (wtr) 06/04/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL						L	Complete if Known						
											940,381	 · · · · · · · · · · · · · · · · · 	
for FY 2004							Filing Date Aug)1	
Effective 10/01/2004. Patent fees are subject to annual revision.											sein Alavi		
Applicant claims small entity status. See 37 CFR 1.27.						Examiner Name					ong M. Phi	1	
TOTAL AMOUNT OF PAYMENT (C) 110						Art Unit			263				
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METHOD OF PAYMENT (check all that apply)						FEE CALCULATION (continued)							
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**a/								Fee Paid	i		SUBTOTAL (3) (5)		
SUBMITTED BY Complete (if applicable)									ble)				
	Name (Print/Type) William W Schaat						Registration No. (Attorney/Agent) 39,018			9,018	Telephone (714) 557-3800		
Signature W										Date	11/16/04		
<u> </u>		3) as modifi	ed by Blakely, Sole	Koff, Taylor & 7a	fman (wtr) 02/10	J/2004.					·		
Based on PTO/SB/17 (10-53) as modified by Blakety, Scientiff, Taylor & Zafman (wit) 02/10/2004. SEND TO: Commissioner for Patients, P.O. Box 1450. Alexandria, VA 22313-1450.													